

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

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ALAN KACHALSKY, CHRISTINA NIKOLOV,  
ERIC DETMER, JOHNNIE NANCE, ANNA  
MARCUCCI-NANCE, and SECOND AMENDMENT  
FOUNDATION, INC.,

Plaintiffs,

Case No. 10-CV-05413

v.

(Hon. Cathy Seibel)

SUSAN CACACE, JEFFERY A. COHEN, ALBERT  
LORENZO, ROBERT K. HOLDMAN, AND COUNTY  
OF WESTCHESTER,

Defendants.

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**DECLARATION OF THE HONORABLE STEPHANIE A. MINER**

The Honorable Stephanie A. Miner declares under penalty of perjury and in accordance with 28 U.S.C. §1746 as follows:

1. I am the Mayor of the City of Syracuse ("Syracuse"), having been sworn into office effective January 1, 2010. I make this declaration in support of the motion for summary judgment of Susan Cacace, Jeffrey A. Cohen, Albert Lorenzo and Robert K. Holdman, in opposition to the Plaintiffs' motion for summary and to outline Syracuse's interest in reducing handgun violence and seeing the "proper cause" requirement of New York's "full carry" permits upheld.

2. I believe the "proper cause" provision of the New York State handgun licensing statute is helpful in regulating the number of concealed, loaded and operable handguns on the streets of Syracuse, and that it would be adverse to the interests of Syracuse to remove the element of proper cause from consideration in issuing permits to carry concealed weapons. In my belief, the requirement of "proper cause" enhances public safety by allowing the reasonable regulation of the issuance of concealed carry licenses. It provides that such licenses will issue to

individuals who can show that they have a reasonable self-defense need to carry a concealed handgun in public, while denying licenses to those individuals who are unable to make that showing.

3. Thus, I believe that the current laws in New York strike an important balance between the right and the responsibility of carrying a concealed handgun on the streets of Syracuse. Eliminating the proper cause provision will inevitably increase the numbers of concealed and loaded handguns in public, placing the Syracuse Police force in greater danger. It may also create a perception that because people believe that there are increased numbers of persons carrying handguns in public, they themselves should also do so, which will over time make the streets of Syracuse more dangerous.

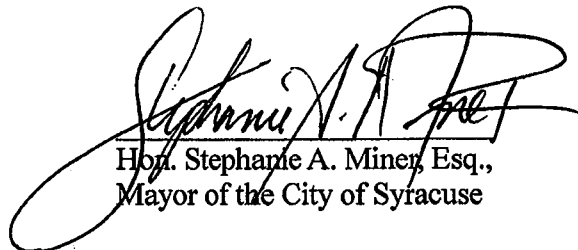
4. Unfortunately, the prevalence of public gun possession does more than just create a perception of violence. On October 31<sup>st</sup> of 2010, a twenty-month old toddler was murdered by a member of a criminal gang using a handgun. Gangs are a public health issue in Syracuse, and as Mayor I believe that limiting the number of guns carried in public is a valuable tool I have to control gang violence.

5. Reasonably regulating the public possession of concealed weapons is important in securing the safety of my city; this is a not unimportant component of our effort to encourage economic growth, and we cannot afford another drain on our ability to create jobs and grow as a city.

6. For these reasons I support the continued application of the "proper cause" requirement.

Sworn to before me this  
25<sup>th</sup> day of January, 2011  
Catherine E. Carnrike  
Notary Public

CATHERINE E. CARNRIKE  
Notary Public, State of New York  
No. 02CA6112791  
Qualified in Onondaga County  
Commission Expires July 12, 2012

  
Hon. Stephanie A. Miner, Esq.,  
Mayor of the City of Syracuse